

AN ORDINANCE **98121**

GRANTING A WAIVER OF THE INTERIM DEVELOPMENT CONTROLS ADOPTED ON FEBRUARY 6, 2003 BY ORDINANCE 97173 TO JOSEPH AND MARIA FOLEY AS SUCH INTERIM CONTROLS APPLY TO LOT 1, CB 4005, ALSO KNOWN AS 11249 APPLE WHITE ROAD.

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WHEREAS, the 1.0110 acre tract of land, Lot 1, CB 4005, also known as 11249 Apple White Road, was annexed for limited purposes by City of San Antonio on January 5, 2003; and

WHEREAS, the 1.0110 acre tract is located in the area for which interim development controls were established by Ordinance Number 97173 passed on February 6, 2003; and

WHEREAS, Ordinance Number 97173 established an appeal and waiver process for those adversely affected by the interim development controls; and

WHEREAS, an appeal and request for waiver was submitted to the City of San Antonio on August 22, 2003 by Joseph and Maria Foley requesting a waiver of the interim development controls adopted on February 6, 2003 as those controls apply to submitting construction plans and application for a building permit for a single-family residence; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The request of Joseph and Maria Foley for a waiver of the interim development controls adopted on February 6, 2003 by Ordinance Number 97173 to allow for submitting construction plans and application for a building permit for a single-family residence, is hereby granted.

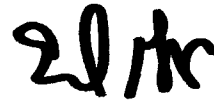
SECTION 2. The 1.0110 acre tract of land, Lot 1, CB 4005, also known as 11249 Apple White Road, is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. Nothing herein shall be construed as approval of any construction plan or application for building permit for a single-family residence as related to the 1.0110 acre tract of land, Lot 1, CB 4005, also known as 11249 Apple White Road.

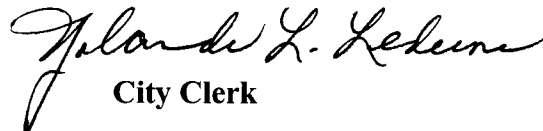
SECTION 4. This ordinance is only an authorization to submit construction plans and application for a building permit for a single-family residence. A request for approval of any plans and all applications regarding the 1.0110 acre tract of land, Lot 1, CB 4005, also known as 11249 Apple White Road, shall be in accordance with the procedures contained in Chapter 35 (Unified Development Code) of the City Code of San Antonio, Texas.

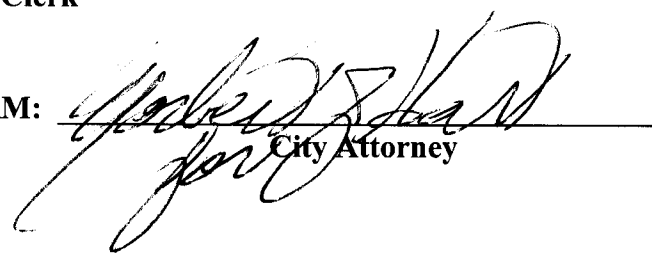
SECTION 5. This Ordinance shall be effective immediately upon passage by eight or more votes otherwise it shall become effective on the 14th day of September, 2003.

PASSED AND APPROVED this 4th day of September, 2003.



M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney